

DOCKET NO.: ANTH-0004

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Robert J. Hariri

Confirmation No.: 6313

Application No.: 10/721,144

Group Art Unit: 1632

Filing Date: November 25, 2003

Examiner: Not Yet Assigned

For: **CYTOTHERAPEUTICS, CYTOTHERAPEUTIC UNITS AND METHODS
FOR TREATMENTS USING THEM**

DATE OF DEPOSIT: *April 16, 2004*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Elizabeth A. McLoud

TYPED NAME: Elizabeth A. McLoud

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).



In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☒ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

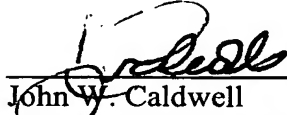
EXCEPT THAT:

- ☒ In view of the voluminous nature of reference number 3, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. _____, filed _____.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ There are no listed references which are not in the English language.

Date: *April 16 2004*



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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. ANTH-0004	Application No. 10/721,144
	Applicant Robert J. Hariri	
	Filing Date November 25, 2003	Group 1632
	Confirmation No. 6313	

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	4	5,372,581	12/13/94	Anderson	604	32
	5	5,415,665	05/16/95	Hessel, et al.	606	120

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	6	WO 02/46373 A1	06/13/02	PCT		
	7	WO 02/064755 A3	08/22/02	PCT		

EXAMINER

DATE CONSIDERED



Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. ANTH-0004	Application No. 10/721,144
	Applicant Robert J. Hariri	
	Filing Date November 25, 2003	Group 1632
	Confirmation No. 6313	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	1	Kamarck, M.E., "[14] Fluorescence-activated cell sorting of hybrid and transfected cells," <i>Methods Enzymol.</i> , 1987 , <i>151</i> , 150-165
	2	Keown, W.A., et al., "Methods for introducing DNA into mammalian cells," <i>Methods in Enzymol.</i> , 1990 , <i>185</i> , 527-537
*	3	Sambrook, et al., Molecular Cloning, A Laboratory Manual, 3 rd Ed., <i>Cold Spring Harbor Laboratory Press, N.Y.</i> , 2001
EXAMINER		DATE CONSIDERED

* A copy of this reference will not be forwarded to the U.S. Patent and Trademark Office since it is believed to be too voluminous and easily obtainable by the Examiner.